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No. 9/5/84-6 Lab/8549.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and management of M/s The Avon Scales Company E-33, Industrial Area, Sonepat :—

BEFORE SHRI B.P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 61 of 1982

*Between*

SHRI SHAM DEV, WORKMAN AND THE MANAGEMENT OF M/S THE AVON SCALES COMPANY E-33, INDUSTRIAL AREA, SONEPAT

Present:—

Shri S.N. Solanki, A.R. for the workman

Shri D.C. Gandhi, A.R. for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute between the workman Shri Sham Dev and the management of M/s. The Avon Scales Company E-33 Industrial Area Sonepat, to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. ID/SPT/29/82/18481, dated 16th April, 1982 :—

Whether the termination of service of Shri Sham Dev was justified and in order ? If not, to what relief is he entitled ?

2. On receipt of the order of reference, usual notices were issued to the parties. The parties appeared. The workman alleged that he was employed as a helper with the respondent since 15th May, 1977 on monthly wages of Rs. 304/-, but the respondent unlawfully terminated his services on 18th December, 1981 in flagrant disregard of the provisions of section 25-F of the Industrial Disputes Act, 1947.

3. The respondent filed a detailed written statement completely controverting the claim of the workman. I, need not discuss the pleas taken by the respondent, because this reference is being disposed of on grounds other than merits.

4. On the pleadings of the parties, the following issue was framed on 19th April, 1983 :—

1. Whether the termination of services of Shri Sham Dev was justified and in order ? If not, to what relief is he entitled ?

5. Before the parties could adduce any evidence on merits, a settlement mark "X" was arrived at, whereunder the workman has been paid a sum of Rs. 652.52 in full and final satisfaction of his claim. His learned Authorised Representative has made a statement in that behalf admitting the veracity of the settlement referred to above. So now nothing remains to be adjudicate upon between the parties. This reference is answered and returned accordingly. There in no order as to cost.

B.P. JINDAL,

Presiding Officer,

Labour Court, Rohtak,  
Camp Court, Sonepat.

Dated the 12th November, 1984.

Endst. No. 61-82/3633, dated 22nd November, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,  
Presiding Officer,  
Labour Court, Rohtak,  
Camp Court, Sonepat.